

## CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting  
7:00 P.M.

February 16, 2016

### POST SUMMARY MINUTES

PRESENT: Chairman Jeffrey E. Turner, Vice-Chairman Sonna Gregory, Commissioner Gail Hambrick, Commissioner Michael Edmondson, Commissioner Shana M. Rooks, and Clerk Sandra T. Davis.

1. Chairman Turner called the meeting to order.
2. Invocation was given by Pastor Robert Willy of Trinity Lakeside Church in Jonesboro, Georgia. The Pledge of Allegiance to the flag was led by Chairman Turner.
3. Amended the agenda by Removing Resolution 2016-18 - A Resolution authorizing Clayton County to grant a facility use request and enter into a license agreement with Rainbow House, Inc. to sponsor and host a 5K Fundraiser race at Clayton County International Park. Vote unanimous. Amended the agenda by Adding Resolution 2016-38 – A Resolution authorizing Clayton County to go into a Financial Services Agreement with Piper Jeffrey and Company, which will provide financial advisory services to the board. Vote unanimous. Motion by Commissioner Rooks, second by Chairman Turner, to adopt the agenda as amended. Vote unanimous.
4. Approved the February 2, 2016 Regular Business Meeting minutes. Vote unanimous.
5. PUBLIC COMMENT: Citizens will be given a three (3)-minute maximum time limit to speak before the Board of Commissioners about various topics, issues, and concerns. Following thirty minutes of hearing from the public, the Board of Commissioners will allow the remainder of citizens who have signed up to be heard at the next Tuesday business meeting. None.
6. PROCLAMATION: “Clayton County Acknowledges ‘Be Nice Clayton’.” (Presented by Commissioner Rooks)
7. Considered the requests of Debra Brewer, Director of Central Services. (NOTE: The entire Purchasing Ordinance for Clayton County, Georgia can be viewed on the MuniCode website. Citizens can access this website via the following website address: <http://library.municode.com/index.aspx?clientId=10562>.)
  - 1) Approved the **Recommendation for Award: RFP #15-58 Enterprise Resource Planning (ERP) Consulting Services for Clayton County, Georgia**. (Schafer Consulting, Inc., located in Dana Point, California. Funding is available through SPLOST Funds for FYE 2015). As requested by the Department of Finance. Pursuant to Section 2-136 (2) of the Clayton

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County Code of Ordinances, General Purchasing Methods; Clayton County utilizes the competitive sealed proposal method when the competitive sealed bid method is neither practical nor advantageous and when cost is not the primary consideration. The competitive sealed proposal method will be used when the costs of goods and services exceed \$25,000.00. All goods and services in the excess of \$25,000.00 are required to be purchased through the sealed proposal process, or negotiated by the Director of Central Services with full Board of Commissioners' approval. The Clayton County Board of Commissioners makes the final award for all non-budgeted proposals of \$35,000.00 and greater. Vote unanimous.

### 2) **Recommendation for Renewal of Annual Contracts:**

A. The following Annual Contracts are being recommended for renewal pursuant to Section 2-136: (1) and (6) of the Clayton County Code of Ordinances, General Purchasing Methods. Per Section 2-136 (1) of the Clayton County Purchasing Ordinance, Clayton County utilizes the competitive sealed bid method when the costs of goods and services are in excess of \$25,000.00. The Clayton County Board of Commissioners has the final award approval for all non-budgeted bids \$35,000.00 and greater. All approved budgetary goods and services and annual contract purchases can be authorized by the Finance Director and purchased by the Director of Central Services without Board of Commissioners' approval. Per Section 2-136 (6) of the Clayton County Purchasing Ordinance, Clayton County has developed annual contracts for frequently used items and services. These contracts are a result of a sealed bid. The contract allows the county to order goods and services directly from the awarded suppliers through the use of an annual contract document.

1. Approved the **RFB #14-14 Clayton County Transportation & Development Guardrails – Annual Contract Renewal with Martin-Robbins Fence Co., Inc.**, located in Snellville, Georgia, with a renewal period from April 1, 2016 through March 31, 2017. There are no remaining renewals on this contract. The Board of Commissioners approved this award on March 14, 2014. Vote unanimous.
2. Approved the **RFB #14-55 Clayton County Transportation & Development Ready-Mix Concrete Supply – Annual Contract Renewal with Walker Concrete Company, LLC**, located in Stockbridge, Georgia with a renewal period from March 1, 2016 through February 28, 2017. There is one remaining renewal on this contract. The Board of Commissioners approved this award on December 2, 2014. Vote unanimous.
8. Considered requests of Ramona Bivins, Chief Financial Officer.

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- 1) Approved Budget Amendment #2-27/District Attorney/FYE 6-30-16 - To increase the budget to provide additional funds for training, travel, and meeting expenses, in the amount of \$5,135. Vote unanimous.
- 2) Approved Budget Amendment #2-28/Parks and Recreation/FYE 6-30-16 - To amend in donated funds for Parks and Recreation, in the amount of \$1,000. Vote unanimous.
- 3) Approved Budget Amendment #2-29/Prison/FYE 6-30-16 - To amend revenue received from the State DOT Road Maintenance Agreement for the purchase of equipment and light bars for current vehicles, in the amount of \$19,071. Vote unanimous.
- 4) Approved Budget Amendment #4-65/2009 SPLOST/FYE 6-30-16 - To appropriate funds from fund balance to provide funding for land acquisition, design and construction of the NW Clayton Branch Library, in the amount of \$6,000,000. Vote unanimous.
- 5) Approved Budget Amendment #4-66/2009 SPLOST/FYE 6-30-16 - To appropriate funds from fund balance to provide funding for the renovations at the County Prison, in the amount of \$1,478,700. Vote unanimous.
- 6) Approved Budget Amendment #4-67/2009 SPLOST/FYE 6-30-16 - To appropriate funds from fund balance to provide funding for land acquisition, design and construction of the NE Senior Center, in the amount of \$6,500,000. Vote unanimous.
9. Approved Resolution 2016-17 - A Resolution to establish the process for the petition for and placement of parking related signage within unincorporated Clayton County. Motion passed 4 – 1. Commissioner Edmondson opposed.

**Synopsis:** *The County wishes to establish a process for the petition for and placement of parking related signage within the unincorporated areas of Clayton County in an effort to deter prohibited parking on the right-of-ways of roads, streets, thoroughfares, and other avenues of travel.*

Commissioner Gregory asked how we are going to be able to accomplish this. Commissioner Edmondson asked Commissioner Gregory what she is referring to. Commissioner Gregory stated in regards to the placing of parking related signage within the neighborhood and unincorporated areas of Clayton County how are the parking signs going to be cited since HOA (Homeowners' Association) really cannot enforce that. She then asked Commissioner Edmondson what are his concerns.

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Commissioner Edmondson stated that his concerns include that currently, county ordinance allows for parking and other related signs to be enforceable and placed at the discretion of the T & D (Transportation and Development) Department. Therefore; he believes it is subjective and for us and to create a construct such as this where things are automatically allowable or not allowable makes it more strenuous for us to manage parking and such signs around the county and so, he thinks it is a bad policy.

Chairman Turner asked is it not State Law to not park in the street. Commissioner Edmondson replied no, it is not a State Law. Christie Barnes, Chief Staff Attorney replied there is a county ordinance that currently prohibits parking at certain times of the day.

Commissioner Rooks explained how this Resolution 2016-17 came about. She stated that there are differences in certain communities as it relates to what signage is allowed. Some communities allow no parking signs and some do not. There are several HOAs who have requested signage in their community. Therefore this particular policy allows for the HOAs to gather the same amount of signatures required for a streetlight petition if they want to allow for those signages to be placed in their subdivisions. She stated that it is not automatic and they have to go through a process just like they would for the streetlight petition for a particular sign that is in accordance with the statute and the ordinance.

Commissioner Gregory stated that she does not have a problem with this policy, because it is a big concern with a lot of citizens about the parking in the streets and states that she wishes we did have parking because that would slow people down. She states we will see how the process goes.

10. Approved Resolution 2016-19 - A Resolution authorizing Clayton County to grant the facility use request and enter into a license agreement with the Humane Society and SPCA of Clayton County Inc. providing for the terms and conditions under which a car and motorcycle show will be hosted at the Clayton County International Park. Vote unanimous.

**Synopsis:** *The Humane Society and SPCA of Clayton County Inc. wishes to utilize the parking lot at Clayton County International Park on April 23, 2016 from 10:00 a.m. until 6:00 p.m. to host its "Wags and Wheels" Car and Motorcycle Show, which will serve as a fundraiser and include food vendors and musical entertainment.*

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11. Approved Resolution 2016-20 - A Resolution authorizing Clayton County to enter into an agreement with the Georgia Department of Revenue for the use of certain motor vehicle records. Vote unanimous.

***Synopsis:** This agreement between Clayton County and Georgia Department of Revenue permits American Traffic Solutions access to tag registration files for the red light camera enforcement project.*

12. Approved Resolution 2016-21 - A Resolution authorizing Clayton County to enter into a license agreement to allow the Hailey Bankhead Foundation, Inc. to sponsor and host a 5K Walk/Run for childhood cancer awareness at Clayton County International Park. Vote unanimous.

***Synopsis:** The Hailey Bankhead Foundation, Inc. desires to sponsor and host its 5K Walk/Run for childhood cancer awareness on May 14, 2016 from 6:00 a.m. to 1:30 p.m. at the Clayton County International Park.*

13. Approved Resolution 2016-22 - A Resolution authorizing Clayton County to enter into a professional services contract with Expert Discovery LLC, and a legal services agreement with the Barnes Law Group, LLC and Harris Penn Lowry, LLP, to perform a forensic audit to detect, document and arrange for collection of unpaid 911 and/or E911 fees that should have been remitted by telecommunication providers to the County. Vote unanimous.

***Synopsis:** Agreement with Expert Discovery LLC, the Barnes Law Group, LLC and Harris Penn Lowry, LLP for the purpose of locating and recovering underpaid, uncollected, and/or unremitted 911 or E911 fees due to the County.*

14. Approved Resolution 2016-23 - A Resolution authorizing Clayton County to enter into a performance partnership agreement with the Georgia Emergency Management Agency-Homeland Security in accordance with the fiscal year 2015 Emergency Management Performance Grant Program. Vote unanimous.

***Synopsis:** The County has been awarded a Fiscal Year 2015 Emergency Management Performance Grant from Georgia Emergency Management Agency-Homeland Security (GEMA-HS) in the amount of \$77,827.00 with a required match from the County of \$77,827.00,*

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*for a total of \$155,654.00, for the purpose of ensuring the County is fully prepared to help citizens in times of emergency.*

15. Approved Resolution 2016-24 - A Resolution authorizing Clayton County to allow the Doyle Baseball Academy to conduct youth coaches training clinics for the Parks and Recreation Department. Vote unanimous.

***Synopsis:** A Resolution requesting Board of Commissioners consideration of a request for the Doyle Baseball Academy to conduct youth coaches training clinics for the Clayton County Parks & Recreation Department, and players' skill clinic for youth baseball and softball participants.*

16. Approved Resolution 2016-25 - A Resolution authorizing Clayton County to enter into a Memorandum of Understanding with the Board of Regents of the University System of Georgia with the purpose of partnering with Clayton State University for its PACE program. Vote unanimous.

***Synopsis:** A Resolution to accept the Memorandum of Understanding between the Clayton County Board of Commissioners and University System of Georgia so that Clayton State University students and the Clayton County Library System can participate jointly in the (PACE) Partnering Academics with Community Engagement program and allow students to work with the library on literacy programs, public relations and other library programs on an ongoing semester basis.*

17. Approved Resolution 2016-26 - A Resolution authorizing Clayton County to execute two Title V Permit Annual Compliance Certifications for the Clayton County Landfill. Vote unanimous.

***Synopsis:** A Resolution authorizing the execution of the Title V Permit Annual Compliance Certifications for the Landfill.*

18. Approved Resolution 2016-27 - A Resolution authorizing Clayton County to enter into an agreement with Six Flags Over Georgia on behalf of the Clayton County Human Resources Department providing for the terms and conditions under which Six Flags Over Georgia Park admission tickets will be provided to the County on a consignment basis. Vote unanimous.

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**Synopsis:** *A Resolution approving the 2016 Six Flags and Whitewater Seasonal Consignment Agreement.*

19. Approved Resolution 2016-28 - A Resolution authorizing Clayton County to apply for and, if awarded, accept a grant from the Color a Brighter Tomorrow Sherwin Williams Grant to update facility furnishings and lighting. Vote unanimous.

**Synopsis:** *A Resolution requesting permission from the Board of Commissioners to allow Kinship Care Resource Center, under the Senior Services Department, to apply for the Color a Brighter Tomorrow Sherwin Williams Grant in the amount of \$10,000. No matching funds are required.*

20. Approved Resolution 2016-29 - A Resolution authorizing the addition of emergency medical services fees charged to the recipient of such services. Vote unanimous.

**Synopsis:** *A Resolution allowing the County to adjust its emergency medical service fees to reflect the additions to the fee schedule made by the Centers for Medicare and Medicaid Services.*

21. Approved Resolution 2016-30 - A Resolution authorizing Clayton County to convey a temporary construction easement to the Clayton County Water Authority associated with greenspace property for the purpose of replacing sanitary sewer pipes. Vote unanimous.

**Synopsis:** *The Clayton County Water Authority is in need of a temporary construction easement to replace sanitary sewer pipes on the property identified as parcel number 13238D A029 located on Magnolia Drive in Jonesboro, Georgia.*

22. Approved Resolution 2016-31 - A Resolution authorizing Clayton County to convey a permanent easement and a temporary construction easement to the Clayton County Water Authority associated with greenspace property for the purpose of replacing sanitary sewer pipes. Vote unanimous.

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**Synopsis:** *The Clayton County Water Authority is in need of a permanent easement and a temporary construction easement to replace sanitary sewer pipes on the property identified as parcel numbers 13238B A001 and 13238B A005 located on Magnolia Drive Rear and Magnolia Drive in Jonesboro, Georgia.*

23. Approved Resolution 2016-32 - A Resolution of the Clayton County Board of Commissioners adopting the Clayton County Title VI Notice to the Public, Title VI Policy Statement, Title VI Complaint Procedure and Title VI Complaint Form in compliance with Title VI of the Civil Rights Act of 1964. Vote unanimous.

**Synopsis:** *The Board of Commissioners adopts its Clayton County Title VI Notice to the Public, Title VI Policy Statement, Title VI Complaint Procedure and Title VI Complaint Form in compliance with Title VI of the Civil Rights Act of 1964 and all related regulations and directives.*

24. Approved Resolution 2016-33 - A Resolution to give notice of the intent of Clayton County to abandon approximately 2,379.95 sq. ft. (0.055 acres) of right-of-way formerly known as Clark Howell Highway. Vote unanimous.

**Synopsis:** *A public hearing shall be held on this issue on March 1, 2016 at 7:00 p.m. in the Boardroom of the Clayton County Administration Building located at 112 Smith Street, Jonesboro, Georgia 30236.*

25. Approved Resolution 2016-34 - A Resolution to give notice of the intent of Clayton County to abandon approximately 53,611 sq. ft. (1.231 acres) of right-of-way formerly known as Flat Shoals Road. Vote unanimous.

**Synopsis:** *A public hearing shall be held on this issue on March 1, 2016 at 7:00 p.m. in the Boardroom of the Clayton County Administration Building located at 112 Smith Street, Jonesboro, Georgia 30236.*

26. Approved Resolution 2016-35 - A Resolution to give notice of the intent of Clayton County to abandon approximately 69,935 sq. ft. (1.61 acres) of right-of-way formerly known as West Lee's Mill Road. Vote unanimous.



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**Synopsis:** *A public hearing shall be held on this issue on March 1, 2016 at 7:00 p.m. in the Boardroom of the Clayton County Administration Building located at 112 Smith Street, Jonesboro, Georgia 30236.*

27. Died due to lack of motion. Ordinance 2016-36 - An Ordinance to amend the *Code of Clayton County, Georgia*, as amended, specifically Part II, Appendix A “Zoning”, Article 1 “Basic Provisions”, Section 1.5 “Defined Words” so as to insert the definition for the term “Building Frontage,” so as to modify the definition and to insert an illustration for the term “Freestanding Sign,” “Ground Sign,” so as to modify the definition for the term “Sign, Awning,” so as to insert the definition for the term “Sign, Internal,” and so as to insert an illustration for the term “Sign, Mansard”.

**Synopsis:** *The Ordinance will amend Part II, Appendix A “Zoning”, Article 1 “Basic Provisions”, Section 1.5 “Defined Words”.*

28. Died due to lack of motion. Ordinance 2016-37 - An Ordinance to amend the *Code of Clayton County, Georgia*, as amended, specifically Part II, Appendix A “Zoning”, Article 8 “Sign Regulations (SS)” to amend the Code of Clayton County, Georgia, as amended, specifically Part II, Appendix A “Zoning”, Article 9 “Nonconforming Structures, Lots and Uses”, Section 9.6 “Nonconforming Signs”.

**Synopsis:** *The Ordinance will amend Part II, Appendix A “Zoning”, Article 8 “Sign Regulations (SS)” and amend Part II, Appendix A “Zoning”, Article 9 “Nonconforming Structures, Lots and Uses”, Section 9.6 “Nonconforming Signs”.*

29. Approved Add on Resolution 2016-38 – A Resolution authorizing Clayton County to enter into a Financial Services Agreement with Piper Jaffray and Company. Motion passed 3 - 2. Vice-Chairman Gregory and Commissioner Hambrick opposed.

**Synopsis:** *The agreement will provide financial advisory services to the Board.*

Commissioner Gregory asked what the emergency was for adding Resolution 2016-38 to the Agenda. Christie Barnes stated that to her understanding the 2013 contract of the consultant, Mr. Wall of Piper Jaffray and Company expired as of February 11, 2016 and we are also in the middle of a Budget Planning Process and Budget Forecasting; therefore services are needed.

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Commissioner Hambrick asked Christie Barnes is that an emergency. Christie Barnes stated that yes, it is an emergency.

Chief Staff Attorney Christie Barnes requested an executive session for litigation, personnel, and real estate.

30. Approved Order for Remission: State of Georgia vs. Deanthony Bernard Gaither and Free At last Bail Bonds. Vote unanimous.

*Synopsis: An Order to pay Surety 50% of the bond amount under O.C.G.A § 17-6-72(e) (2), which will be \$1,750.00.*

31. Approved the Recommendation of Shauna Dozier, for the position of Elections and Registration Director. Vote unanimous.

Renee Bright, Human Resources Director, stated that she is here on behalf of the Board of Elections. She presented the recommendation of Shauna Dozier, for the position of Elections and Registration Director. She stated that the salary of this position is \$83,113.00 which is a Grade 31, Step 19 and that is in an unclassified position and serves at the pleasure of the Board of Elections. She is currently employed by Fulton County Board of Registrations and Elections of five (5) years, Registration Chief, and previously held the position of Administrative Coordinator of Elections. Prior to her tenure with Fulton County she worked with Rockdale County Elections and Voter Registration for over three (3) years as Assistant Supervisor of Elections. She holds a B.A. in Political Science from North Carolina Central University.

32. Received Appointment of Karen Sullivan to the Board of Ethics to fill a seat as appointed by the Clayton County Chamber of Commerce. The initial term is two years expiring on February 2, 2018.
33. Approved the Reappointment of Gloria McCain to the Animal Control Board to fill the expiring term for which she is currently serving. The term is four years expiring on March 12, 2020. (Full Board Appointment). Vote unanimous.
34. Approved the Appointment of Millard Hall to the Animal Control Board to fill the expiring term of Tameka West. The term is two years expiring on March 12, 2018. (Full Board Appointment). [Commissioner Rook's recommendation]. Vote unanimous.

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Motion made by Commissioner Rooks, second by Chairman Turner, to go into Executive Session to discuss personnel and litigation at 7:35 p.m. Vote unanimous.

Motion made by Commissioner Edmondson, second by Commissioner Rooks, to go out of Executive Session at 8:08 p.m. Vote unanimous.

Motion made by Commissioner Rooks, second by Chairman Turner, to reconvene the Regular Business Meeting at 8:10 p.m. Vote unanimous by the four board members present. Commissioner Edmondson was absent for the vote.

Approved the "Settlement Agreement, Release of all Claims, and Indemnity Agreement" in the case of Cherise Barandao against Clayton County, Georgia, on the terms set forth in the Agreement in the amount of \$40,000.00. Vote unanimous by the four board members present. Commissioner Edmondson was absent for the vote.

There being no further business to discuss, motion by Commissioner Rooks, second by Chairman Turner, to adjourn the Regular Business Meeting of February 16, 2016 at 8:13 p.m. Vote unanimous by the four board members present. Commissioner Edmondson was absent for the vote.